

## Article - Local Government

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§26–902.

(a) For the purpose of this section, a drainage association is considered inactive if for at least 5 years the drainage association has not complied substantially with a majority of the ordinary operating procedures required under this title, including:

- (1) the maintenance of ongoing and current information in the drainage file at the office of the designated officer;
- (2) election of a board of managers and officers of the board;
- (3) an annual meeting of landowners;
- (4) the submission of an annual report by the board of managers to the designated officer;
- (5) the development, approval, filing, execution, or maintenance of a work plan applicable to property owned by the drainage association; and
- (6) the submission and regular updating of the drainage association's easement record in the office of the clerk of the circuit court in the applicable county.

(b) Notwithstanding § 26–901 of this subtitle, on a written petition for dissolution by any member of the most recently elected or appointed board of managers of an inactive drainage association, the county commissioners or county council of the county in which the drainage association was organized promptly shall:

- (1) provide public notice that the county commissioners or county council has received and is considering a petition for dissolution of a drainage association;
- (2) hold a public hearing to accept public comment before taking any action on the petition;
- (3) consider all available information to determine the current operating status and foreseeable operating potential of the drainage association; and
- (4) approve or deny the petition for dissolution.

(c) If the county commissioners or county council approve a petition for dissolution under this section, the county commissioners or county council shall:

(1) satisfy all outstanding debts of the drainage association if any balance remains in the county treasury to the credit of the dissolved drainage association;

(2) retain any remaining balance; and

(3) provide for the transfer of any interest in real property held by the inactive drainage association to any county in which the property is located.

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